

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**IN RE: GENERIC DIGOXIN AND  
DOXYCYCLINE ANTITRUST  
LITIGATION**

**MDL NO. 2724  
16-MD-2724**

**HON. CYNTHIA M. RUFÉ**

**THIS DOCUMENT RELATES TO:  
  
DIRECT PURCHASER ACTIONS  
END-PAYER ACTIONS**

**DEFENDANT MYLAN PHARMACEUTICALS INC.'S MOTION TO DISMISS  
DIRECT PURCHASER PLAINTIFFS' CONSOLIDATED AMENDED COMPLAINT  
AND END-PAYER PLAINTIFFS' CORRECTED  
CONSOLIDATED CLASS ACTION COMPLAINT**

Pursuant to Federal Rule of Civil Procedure 12(b)(6), Defendant Mylan Pharmaceuticals Inc. ("Mylan") respectfully moves the Court to dismiss Direct Purchaser Plaintiffs' Consolidated Amended Complaint (D.I. 125) and End-Payer Plaintiffs' Corrected Consolidated Class Action Complaint (D.I. 175) in the above-referenced action.

In support of this Motion, Mylan relies on (1) Mylan's Memorandum of Law in Support of Its Motion to Dismiss Direct Purchaser Plaintiffs' Consolidated Amended Complaint (D.I. 125) and End-Payer Plaintiffs' Corrected Consolidated Class Action Complaint (D.I. 175), which is filed contemporaneously with this Motion; and joins and incorporates (2) the arguments that Defendants raise in support of their Joint Motions to Dismiss (D.I. 185 and D.I. 188) both Complaints.

For all the reasons set forth in (1) and (2) above, Mylan respectfully requests that the Court dismiss both the Direct Purchaser Plaintiffs' Consolidated Amended Complaint (D.I. 125) and End-Payer Plaintiffs' Corrected Consolidated Class Action Complaint (D.I. 175) against Mylan with prejudice.

Dated: March 28, 2017

/s/ Chul Pak

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